

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

Case No. 3:20-CV-00710-FDW-DSC

HAYWARD INDUSTRIES, INC.,

Plaintiff,

v.

BLUEWORKS CORPORATION,  
BLUEWORKS INNOVATION  
CORPORATION, NINGBO C.F.  
ELECTRONIC TECH CO., LTD; NINGBO  
YISHANG IMPORT AND EXPORT CO.,  
LTD.

Defendants.

**PLAINTIFF HAYWARD INDUSTRIES,  
INC.'S MOTION FOR ALTERNATIVE  
SERVICE ON DEFENDANTS  
NINGBO C.F. ELECTRONIC TECH CO.,  
LTD AND NINGBO YISHANG IMPORT  
AND EXPORT CO., LTD**

Pursuant to Federal Rules of Civil Procedure 4(f)(3) and 4(h)(2), and in compliance with Local Civil Rule 7.1, Plaintiff Hayward Industries, Inc. moves for leave to serve the Summons and Complaint on foreign defendants Ningbo C.F. Electronic Tech Co., LTD and Ningbo Yishang Import and Export Co., LTD (collectively, “Ningbo”) by alternative means—namely, by email and by posting messages through Ningbo’s interactive website and storefront on Alibaba.com. Such means is reasonably calculated to provide actual notice to Ningbo, comports with due process, and is not prohibited by The Hague Convention. Further facts and law supporting this motion are set out in Hayward’s accompanying memorandum of law and declarations of Erik Paul Belt and Tiberius Dinu.

WHEREFORE, Plaintiff Hayward Industries, Inc. respectfully moves this Honorable Court to permit service on foreign defendants Ningbo by alternative means.

Respectfully submitted this the 21st day of January, 2021,

**HAYWARD INDUSTRIES, INC.**

s/ Russ Ferguson  
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